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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,961	03/12/2001	Toyokazu Sugai	1163-0329P	2653

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EXAMINER

TRAN, HAI V

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/802,961	<b>Applicant(s)</b> SUGAI ET AL.	
	<b>Examiner</b> Hai Tran	<b>Art Unit</b> 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/01, 4/03, 3/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Thomas et al. (US 5666654).

Claim 1, Thomas discloses an electronic program guide providing device (Fig. 1) comprising:

an editing means (Fig. 1, el. 20; Fig. 4) for editing electronic program information;

an electronic program information storage means (Fig. 1, el. 90) for storing the electronic program information edited by said editing means;

a table generation means (Fig. 1, el. 40; Fig. 5; Col. 8, lines 47-65+) for generating an electronic program guide table by using the electronic program information stored in said electronic program information storage means, said device (112) providing the generated electronic program guide table;

When updating the electronic program information stored in said electronic program information storage means (Col. 5, lines 67-Col. 6, lines 65), said editing

Art Unit: 2611

means generating update information on the updating of the electronic program information (Col. 7, lines 54-Col. 8, lines 9); and

Said table generation means updating the electronic program guide table based on said update information generated by said editing means by using the electronic program information stored in said electronic program information storage means (Col. 8, lines 47-Col. 11, lines 21).

Claim 2, Thomas further discloses wherein said device further includes an update information storage means (Fig. 1, el. 90) for storing the update information generated by said editing means (Fig. 4 and Col. 8, lines 2-9), and wherein, when updating the electronic program information stored in said electronic program information storage means, said editing means (Fig. 4) stores the update information on the updating of the electronic program information in said update information storage means (Col. 8, lines 2-9), and said table generation means generates the electronic program guide table based on the update information stored in said update information storage means by using the electronic program information stored in said electronic program information storage means (Col. 8, lines 47-Col. 11, lines 21).

Claim 3, Thomas further discloses wherein said electronic program guide table consists of a plurality of electronic program information tables each of which corresponds to the type of electronic program information included therein, and said

table generation means determines which electronic program information table has to be updated based on the update information on the updating of the electronic program information and updates only one or more electronic program information tables that need to be updated (Col. 5, lines 60-Col. 6, lines 62).

Claim 4, Thomas further discloses wherein said electronic program guide table consists of a plurality of electronic program information tables each of which corresponds to the type of electronic program information included therein, and said table generation means determines which electronic program information table has to be updated based on the update information on the updating of the electronic program information, and updates only one or more electronic program information tables that need to be updated (Col. 5, lines 60-Col. 6, lines 62).

Claim 5, Thomas further discloses wherein said table generation means updates only one or more electronic program information tables that need to be updated at predetermined intervals (Col. 8, lines 47-65+).

Claim 6, Thomas further discloses wherein said table generation means updates only one or more electronic program information tables that need to be updated at predetermined intervals (Col. 7, lines 3-65+).

Claim 7, "wherein said table generation means sets the length of predetermined intervals at which only one or more electronic program information tables that need to be updated are updated according to a sending frequency of an electronic program information table with the largest sending frequency" is met by Thomas (Col. 9, lines 19-37) because the updating process according to the largest sending frequency would also update the EPG information tables that have the smallest sending frequency.

Claim 8, "wherein said table generation means sets the length of predetermined intervals at which only one or more electronic program information tables that need to be updated are updated according to a sending frequency of an electronic program information table with the largest sending frequency" is met by Thomas (Col. 9, lines 19-37) because the updating process according to the largest sending frequency would also update the EPG information tables that has the smallest sending frequency.

Claim 9, "wherein said table generation means sets the length of predetermined intervals at which each of one or more electronic program information tables that need to be updated is updated according to a sending frequency of each of the one or more electronic program information tables" is further met by Thomas (Col. 9, lines 50-Col. 10, lines 5).

Claim 10, Thomas further discloses wherein said table generation means sets the length of predetermined intervals at which each of one or more electronic program information tables that need to be updated is updated according to a sending frequency of each of the one or more electronic program information tables (Col. 8, lines 47-65).

Claim 11, Thomas further discloses wherein said device includes a plurality of editing means (Fig. 4), and each of said plurality of editing means inspects update information generated by any other editing means stored in said update information storage means (Col. 7, lines 54-Col. 8, lines 46).

Claim 12, Thomas further discloses wherein said update information storage means stores histories of the update information generated by said editing means, and said editing means restores the electronic program information stored in said electronic program information storage means to the state it was prior to any updating done by said editing means with reference to the histories of the update information stored in said update information storage means If necessary (Fig. 8; Col. 8, lines 9-46 and Col. 12, lines 28-61).

Claim 13, Thomas further discloses wherein said table generation means determines whether the updating of the electronic program information done by said editing means causes something wrong in the generation of the electronic program

Art Unit: 2611

guide table, when determining so, notifies said editing means that there causes something wrong in the generation of the electronic program guide table, and invalidates the updating of the electronic program information (Fig. 8; Col. 8, lines 9-46 and Col. 12, lines 28-61).

Claim 14, Thomas further discloses wherein said table generation means determines whether the updating of the electronic program information done by said editing means causes something wrong in the generation of the electronic program guide table, when determining so, notifies said editing means that there causes something wrong in the generation of the electronic program guide table, and urges said editing means to re-edit the electronic program information (Fig. 8; Col. 8, lines 9-46 and Col. 12, lines 28-61).

Claim 15, Thomas further discloses wherein said table generation means determines whether the updating of the electronic program information done by said editing means causes something wrong in the generation of the electronic program guide table, when determining so, notifies said editing means that there causes something wrong in the generation of the electronic program guide table, and restores the electronic program information stored in said electronic program information storage means to the state it was prior to the updating of the electronic program information with reference to the histories of the update information stored



in said update information storage means (Fig. 8; Col. 8, lines 9-46 and Col. 12, lines 28-61).

Claim 16, Thomas further discloses wherein said device includes a plurality of table generation means (Fig. 1, el. 40) for generating the electronic program guide table while sharing a load of generating the electronic program guide table (Col. 8, lines 47-Col. 10, lines 20).

Claim 17, Thomas further discloses wherein said device includes a plurality of table generation means (Fig. 1, el. 40) for generating the electronic program guide table while sharing a load of generating the electronic program guide table (Col. 8, lines 47-Col. 10, lines 20).

Claim 18, Thomas further discloses wherein said table generation means provides the generated electronic program guide table at predetermined intervals, and, when updating the electronic program guide table, provides the electronic program guide table updated at the same time that it updates the electronic program guide table (Col. 12, lines 27-61).

Claim 19, Thomas further discloses wherein said table generation means provides the generated electronic program guide table at predetermined intervals, and, when updating the electronic program guide table, provides the electronic

program guide table updated at the same time that it updates the electronic program guide table (Col. 12, lines 27-61).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai Tran whose telephone number is 703-308-7372. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on 703-305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HT:ht  
10/27/2004

  
**HAITRAN  
PATENT EXAMINER**